

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**Case No. 3:20-cr-00150**

**ROWDY LEE RANDOLPH**

**MEMORANDUM OPINION and ORDER SEALING DOCUMENTS**

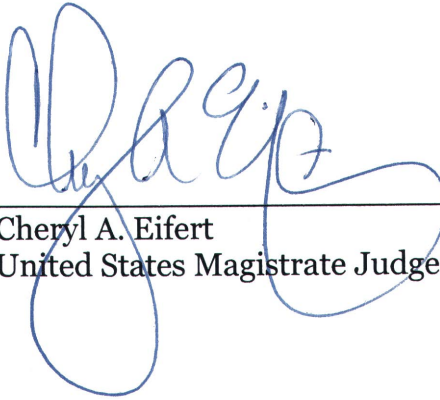
Pending before the Court is Defendant Rowdy Lee Randolph's Motion to Seal Medical Records, (ECF No. 70), requesting the attached Exhibits 1 and 2 be sealed. The Court notes that the attached exhibits contain Defendant's medical information. Due to the confidential nature of the personal health information contained in the exhibits, the Court **GRANTS** the Motion to Seal and **ORDERS** that Exhibit Nos. 1 and 2, (ECF Nos. 70-1, 70-2), be sealed.

The undersigned is cognizant of the well-established Fourth Circuit precedent recognizing a presumption in favor of public access to judicial records. *Ashcraft v. Conoco, Inc.*, 218 F.3d 288 (4th Cir. 2000). As stated in *Ashcraft*, before sealing a document, the Court must follow a three step process: (1) provide public notice of the request to seal; (2) consider less drastic alternatives to sealing the document; and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting alternatives. *Id.* at 302. In this case, Exhibit Nos. 1 and 2 shall be designated as sealed on the Court's docket. The Court deems this sufficient notice to interested members of the public. The Court has considered less drastic alternatives to

sealing the documents, but in view of the confidential nature of the information, no such alternatives are feasible at this time. Accordingly, the Court finds that sealing Exhibit Nos. 1 and 2 does not unduly prejudice the public's right to access court documents.

The Clerk is instructed to provide a copy of this Order to the defendant, counsel of record, the Probation Office, and the United States Marshals Service.

**ENTERED:** October 13, 2021



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Cheryl A. Eifert  
United States Magistrate Judge